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FAX COVER SHEET

From: Margaret J. McLaren, Ph.D., Esq. Reg. No. 53,303

Date: February 9, 2004

PLEASE DELIVER 17 PAGE(S) (including cover sheet) TO:

Name: Examiner David A. Lambertson
Art Unit 1636
Company: USPTO

Fax Number: (703) 872-9306
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Comments/Special Instructions

FEB 09 2004

Re: Application No. 09/923,132

Bioluminescent Methods for Direct Visual Detection of Environmental Compounds (Sayler et al.)

OFFICIAL

Attention: Examiner David A. Lambertson:

Attached please find the following documents:

- Transmittal Form
- Fee Transmittal
- Petition for One Month Retroactive Extension of Time
- Reply to Office Action (13 pages)

Should you have any questions, please do not hesitate to contact us.

Thank you.

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Client/Matter No: 24896/120189

Equitrac ID: 1719

{WP167849;1}

PTO/SB/21 (03-03)

Approved for use through 04/30/2003. OMB 0851-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM <small>(to be used for all correspondence after initial filing)</small>	Application Number	09/923,132	
	Filing Date	August 6, 2001	
	First Named Inventor	SAYLER	
	Art Unit	1636	
	Examiner Name	Lambertson, D.A.	
Total Number of Pages in This Submission	18	Attorney Docket Number	6704-15-1

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to a Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below): _____
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual	Akerman Senterfitt
Signature	<i>M. J. McLaren</i>
Date	February 9, 2004

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: <u>February 9, 2004</u>		
Typed or printed	Margaret J. McLaren, Ph.D., Esq.	
Signature	<i>M. J. McLaren</i>	Date <u>February 9, 2004</u>

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-785-9199) and select option 2.

PTO/SB/17 (10-03)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**FEE TRANSMITTAL
for FY 2004**

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

(\$ 55.00)

Complete if Known

Application Number	09/923,132
Filing Date	August 6, 2001
First Named Inventor	SAYLER
Examiner Name	Lambertson, D.A.
Art Unit	1636
Attorney Docket No.	6704-15-1

METHOD OF PAYMENT (check all that apply)☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:

Deposit Account Number

50-0951

Deposit Account Name

Akerman Senterfitt

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 285	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 180	2005 80	Provisional filing fee	

SUBTOTAL (1) (\$ 0)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent	-20** =	X	
Multiple Dependent	-3** =	X	

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1202 18	2202 9	Claims in excess of 20	
1201 86	2201 43	Independent claims in excess of 3	
1203 290	2203 145	Multiple dependent claim, if not paid	
1204 86	2204 43	** Reissue independent claims over original patent	
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$ 0)

**or number previously paid, if greater. For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity, Small Entity

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SiR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SiR after Examiner action	
1251 110	2251 55	Extension for reply within first month	55.00
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1808 180	1808 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 55.00)

(Complete if applicable)

SUBMITTED BY

Name (Print/Type) Margaret J. McLaren, Ph.D., Esq.

Registration No. (Attorney/Agent) 53,303

Telephone 561-653-5000

Signature

M. McLaren

Date

February 7, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Application No. 09/923,132
Response dated February 9, 2004
Reply to Office Action dated October 21, 2003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: SAYLER et al.

Application No.: 09/923,132

Examiner: Lambertson, D.A.

Date Filed: August 6, 2001

Group: 1636

For: BIOLUMINESCENT METHODS FOR DIRECT VISUAL DETECTION OF
ENVIRONMENTAL COMPOUNDS

CERTIFICATE UNDER 37 CFR 1.8(A)

I hereby certify that this correspondence is being
deposited by facsimile addressed to the Commissioner
for Patents, P. O. Box 1450, Alexandria, VA 22313-
1450, on February 9, 2004

M. McLaren
Margaret J. McLaren, Ph.D., Esq. Reg. No. 53,303

PETITION FOR RETROACTIVE EXTENSION OF TIME

Mail Stop Fee Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a Petition for Retroactive Extension of Time pursuant to 37 CFR § 1.136.
Please charge the fee in the amount of \$55.00 for a one (1) month extension of time
pursuant to 37 CFR § 1.17(a)(1) and any underpayments to Deposit Account No. 50-
0951.

Respectfully submitted,

Date: February 9, 2004

M. McLaren
Gregory A. Nelson, Esq.
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Docket No. 6704-15-1

{WP167480;1}